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OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

MONDAY, 27 MAY 1946

COMMISSIONERS:

Mr. I. D. McIlwraith
Mr. Igor Rasymoz

THE GESTAPO

(The Commission ~~convened~~ resumed at ~~1430~~ 1400 hours).

(Back) (over)

~~EXxMrxxMcL~~ OTTO SOMANN, a witness, took the stand and testified as follows:

BY MR. McILWRAITH:

Q Stand up, please, and raise your right hand, and repeat after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth, and will withhold and add nothing.

(The witness repeated the oath).

DIRECT EXAMINATION

BY DR. WEISGERBER:

Q What profession do you have?

A I was born to be a farmer and as such I worked on my father's estate.

Q Were you a member of the SS and when did you enter the SS?

A I have been a member of the SS since 1931.

Q Since when have you been a member of the NSDAP?

A I have been a member since 1927.

MR. McILWRAITH: Are you Dr. Weisgerber?

DR. WEISGERBER: Yes.

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MR. McILWRAITH: Why are you examining a witness for the SS?

DR. WEISGERBER: I only asked concerning his membership in the party and in the SS in order to give a short presentation of this.

MR. McILWRAITH: For the Gestapo?

DR. WEISGERBER: Yes.

BY DR. WEISGERBER:

Q What was your career with the SS scene in big lines?

A I became a member in 1934 of the "Oberabschnitt Nord," the upper section or zone North, and Hamburg, as Wachtfuehrer. In 1936 I was transferred to the SD "Oberabschnitt Nord" in Stettin. In '38 and '39 for the SD zone in Liegnitz in Silesia. I served in the same capacity in 1940 to 1943 in Breslau and Hamburg. In 1943 I became Inspector of the "Sipo" in Wiesbaden, and I served there especially as liaison officer with the Armistice Delegation in Wiesbaden.

Q When and why were you placed in charge of the "Zollgrenzschutz," the customs border protection?

A About the end of July or beginning of August in 1944. Himmler gave me permission to take charge of the "Zollgrenzschutz" as Inspector and I was freed of my former capacities.

Q Under whose jurisdiction, or who had been in charge of the "Zollgrenzschutz" until you were placed in charge of it?

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Darrow
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A The "Zollgrenzschutz" is an old institution of the Reich Finance Administration, under whose jurisdiction it was at that time.

Q Why was the "Zollgrenzschutz" transferred from the jurisdiction of the Reich finance administration into the jurisdiction of the Reich SS and police, and why was this "Zollgrenzschutz" annexed to Office 4 of the Reich main security office?

A The Reichsfuehrer SS had tried from the very beginning to take over the "Zollgrenzschutz" into his administration. Reich finance office strongly opposed these endeavors. When my predecessor, Geheimrat Hausfeld, was arrested in connection with the 20th of July 1944, the Reichsfuehrer SS had been given special powers and authority which enabled him to take over the "Zollgrenzschutz" into his department. As Inspector it was now my duty to carry through the transfer of the "Zollgrenzschutz". One half of the office was to remain under the jurisdiction of the Reich finance administration, while everyone who was on duty in the country was to be transferred to the security police, and therefore, those men who did duty on waters and lakes, rivers, and so on, were to be transferred into the "Ordnungspolizei," the Order Police.

MR. McILWRAITH: Doctor Weisgerber, is this relevant?

DR. WEISGERBER: Yes, it is relevant because during the latter part, the second half of 1944, the "Zollgrenzschutz" was transferred or placed under the jurisdiction of

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the Gestapo, and we here have to clarify the set-up of the various departments and sub-departments of the Gestapo.

MR. McILWRAITH: Well, make it as short as you can.

DR. WEISGERBER: I shall try to.

BY DR. WEISGERBER:

Q What was the strength of the "Zollgrenzschutz" in the summer of 1944?

A About 54,000 men.

Q So that about 25,000 or perhaps a few more were placed under the jurisdiction of the Gestapo?

COLONEL GRIFFITH JONES: 25,000?

DR. WEISGERBER: 25,000.

THE WITNESS: Yes, that is about right.

BY DR. WEISGERBER:

Q What was the work of the "Zollgrenzschutz" at your time?

A The "Zollgrenzschutz" had to see that the duty border regulations were carried out, the measures on duty border regulations were carried out. And those places where there was no border police the "Zollgrenzschutz" had to look after the credentials of people, passports and so on; also had to carry through veterinary measures. The "Zollgrenzschutz" was to prohibit the illegal entry and exit into and from Germany, and to prohibit and prevent propaganda from being smuggled into Germany.

Q Did any change take place of the tasks of the

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"Zollgrenzschutz" after it had been taken over by the Gestapo?

A No, there was no change in the tasks that were to be carried out by the "Zollgrenzschutz."

Q Was there any change in the organization?

A No, not as far as the organization was concerned.

Q Did the "Zollgrenzschutz" have anything to do with either the SS or the SD until it was taken over into the Reichsfuehrer SS departments?

A No.

Q After the transfer were the members of the "Zollgrenzschutz" identified as members of the SS and the SD on their papers of identification?

A The same uniforms and papers of identification and credentials were retained after the transfer. A very few of the office chiefs also had stamps made and stamped these on the credentials of the members of their department, and on this stamp it said "The bearer is member of the SS and SD -- excuse me -- of the "Sipo." I personally neither received an order to do so nor passed on an order to do so. Some of the chiefs of offices must have done so of their own accord.

Q Were the individual members asked upon transfer, or was the transfer made, in a whole group?

MR. McILWRAITH: In a what?

THE INTERPRETER: In a whole group.

BY DR. WEISGERBER:

Q Was the whole organization transferred, or were the

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individual members asked?

A No, the individual member was not asked~~?~~ .

Q Therefore, the individual member could do nothing about the transfer?

A No.

Q Were the duties of the "Zollgrenzschutz" before the year 1933 different from those after 1933, and are they different now after 1945? Has any change taken place?

A As far as I know, the duties before 1933 bore no essential difference from those after 1933, and as far as I can see I believe they will always be practically the same, because duties at borders and frontiers will always be the same.

Q ~~?~~ You said you were placed under the jurisdiction of the Reich main security office. Is that true?

A No. I was not ~~xxx~~ under the office jurisdiction, I was only employed by the"Amt." My mission was only to carry out the transfer of the "Zollgrenzschutz" as the major part of the "Zollgrenzschutz" was transferred to "Amt IV." I happened to be also placed to "Amt IV." I myself happened to be at this time a member of "Amt III" and received my orders direct from the Reich -- either from ~~xxx~~ Reichsfuehrer SS Himmler or from Kaltenbrunner.

Q Why was the transfer not carried out?

A The first task was -- the first work was to get a complete report of the "Zollgrenzschutz", of the strength and the numbers, and several months passed before this was

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accomplished. When at the end of 1944 the German retreat movements began and when these retreat movements became faster and faster, a complete transfer was no longer possible.

Q Did any change take place in the transfer or in the jurisdiction of these offices until the final capitulation?

A When Himmler withdrew from the ~~xx~~ government of Doenitz I was ordered by the Reichsminister von Krosigk on the 2nd and 3d of May to bring about the old relationship and to place the "Zollgrenzschutz" once more under the jurisdiction of the Reich finance administration; but of course I could only carry this mission out in those parts of Germany that were not occupied at the capitulation.

Q Can the members of the "Zollgrenzschutz" as far as they were under "Amt IV" be ~~xx~~ considered members of the Gestapo?

A No. Because the transfer was ~~xx~~ never carried through and the members were not given any orders or tasks incumbent upon the Gestapo.

Q Were the members of the "Zollgrenzschutz" informed of the change of the relationship?

A I assume quite certainly that the men were informed of this by their chiefs. However, I stated that when I was on official trips in Germany the men guarding the borders, members of the "Zollgrenzschutz", did not know that I was their new chief.

M. MONNERAY: Perhaps the witness ~~xxxxx~~ could testify what he means by west, west of Germany or west ~~xxxxxx~~ of the unoccupied territories east of Germany?

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THE WITNESS: No. Inside Germany in the north, the Danish border; in the west beyond the Rhine, and in the east, former Czech border.

BY DR. WEISGERBER:

Q Were the individual members of the "Zollgrenzschutz" admitted for membership in the SS by reason of official instructions?

A No, but provision had to be made to take over part of the men who met with the requirements to take these men over into the SS.

Q My last question: Did the "Zollgrenzschutz" have anything to do with the tasks, aims and objectives of the Gestapo?

A No. As I stated before, the "Zollgrenzschutz" was an old institution of the Reich finance administration, and its duties remained the same under my administration as they had been before, and there was no immediate change brought about by this transfer. However, the possibility does exist that during the final retreats of the German Army the "Zoll-grenzschutz" were also used to help the transports and the bringing back of prisoners and so on. Members of the "Zoll-grenzschutz" were never used for purely political duties.

DR. WEISGERBER: No further questions.

MR. McILWRAITH: Is there any cross-examination?

CROSS-EXAMINATION

BY COLONEL GRIFFITH JONES:

Q When the transfer was to take place in the summer of

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'44 how many members were in fact present, how many members of the "Zollgrenzschutz"?

A The transfer was not carried out into the small detail, it was at first only the measure as a whole, and was then successful only fifty-fifty;not all successful and not all unsuccessful. There was only a change in the administration and ~~in~~ the jurisdiction. Payment was as before in the hands of the Reich finance administration.

Q Were the members of the "Zollgrenzschutz" given any additional ~~pause~~ powers such as ~~pause~~ powers of arrest, as practiced by the Gestapo, when the change-over took place?

A No.

COLONEL GRIFFITH JONES: ~~XXXXXXXXXXXXXXXXXX~~ I have no further questions.

~~MR. McILWRAITH: Colonel Brookhart?~~

~~COLONEL BROOKHART: No.~~

MR. McILWRAITH: M. Monneray?

BY M. MONNERAY:

Q Have the members of the "Zollgrenzschutz" been employed also in the occupied countries of the west?

A Yes.

Q If you take, for instance, the administration fields of the "Zollgrenzschutz," did you have other members of the "Zollgrenzschutz" employed?

A No. I personally did not employ ~~them~~ them there but when I took over the office there were units there as far south as the Spanish border. There were groups employed in all the occupied countries at the border of the Army, the Wehrmacht.

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Q Did the groups of the "Zollgrenzschutz" in the occupied territories of the west, did they receive their orders from the Wehrmacht?

A Yes.

Q Did they also receive orders from the RSHA?

A As far as I know they did not.

Q Had the members of the "Zollgrenzschutz" in the western countries the power to arrest people?

A Yes, at the border.

Q Did those members have at the same time the mission of the border police?

A Yes. At the order of the Wehrmacht.

Q So the members of the "Zollgrenzschutz" had at the same time the functions, the missions of this organization and of the border police. Isn't that so?

A Yes. They acted on orders of the Wehrmacht and had to carry these orders out.

Q At the different posts at the borders were there also members of the SD?

A That may be possible. I myself do not know, as I never had any work there or placed anyone there but in such a case both offices must have had work to do there, the SD as well as the "Zollgrenzschutz."

Q Did you know whether officials were cooperating? For instance, could you give me any example of it?

A Yes. They cooperated and supported one another. For example, if it became known that one such particular

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zone was especially subject to illegal border crossings, then one office called the other ~~office~~ office's attention to this fact, and both tried to help one another.

Q So then if I understand your ~~explanations~~ explanations, when your organization arrested people whom they considered to be in an illegal position, they handed them over to the ~~SS~~ SD.

A I don't know. When I took over this office the retreat had already begun.

M. MONNERAY: I have no further questions.

BY COLONEL BROOKHART:

Q To what extent were the local offices or stations of your organization subject to the orders of, or subordinate to, local ~~hiro~~ higher SS and the police officials?

A Not directly, only indirectly.

Q Did you have any contact with them at all?

A I personally did not. My office was in Berlin and I had no contact with the local offices.

Q You have said you had contact between the local SD organization and your own. Am I to understand that that was separate and distinct from the local organization of the SD?

A No, I did not mean that I personally had contact with these local offices. I only had contact with the offices to which I myself assigned groups. For example, the "Amt," the order police, the water protective police and the Wehrmacht whose orders I had to carry out.

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Q The fact is then you did not know what the local situation was?

A Do you mean of the "Zollgrenzschutz"?

Q Yes.

A Yes. Insofar as if anything special had taken place report would have been made to the higher offices.

Q Your information would be only what you obtained subsequently?

A Yes.

Q To what extent did your organization intercept prisoners of war attempting to escape?

A I don't know.

COLONEL BROOKHART: I have no more questions.

THE WITNESS: The "Zollgrenzschutz" probably helped to block the borders but I don't know to what extent arrests actually were made, and to what numbers.

MR. McILWRAITH: Colonel Smirnov?

BY COLONEL SMIRNOV:

Q Was the frontier-guarding one of your duties? Was it under your jurisdiction?

A Yes.

Q When people were arrested at the border was a telegram to that effect sent to the Inspector?

A No.

Q I shall read a telegram that was sent on the

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occasion of the arrest of Yugo-Slav diplomats trying to get across the border and were ~~xxx~~ arrested. The telegram bears the number 6143 and is dated the 6th of April 1941.

A I am sorry I cannot answer because I did not take over the "Zollgrenzschutz" until 1944.

Q This telegram mentions the arrest of Yugo-Slav diplomats. Doesn't this fact signify that the inspectors also helped policemen?

A I notice that the ~~xxix~~ telegram bears the date 1941.

Q Did these inspectors receive any instructions from Schellenberg and Mueller before 1941?

A I don't believe so. I do not know.

COLONEL SMIRNOV: No more questions.

MR. McILWRAITH: Dr. Weisgerber?

REDIRECT EXAMINATION

BY DR. WEISGERBER:

Q In 1939 you were chief of office of the SD in Liegnitz.

A Yes.

Q What was known of the planned attack on Station Gleiwitz in your office?

A I heard for the very first time of the attack on Station Gleiwitz in my camp in Schleswig-Holstein this year. I neither knew nor heard anything of it prior to this time.

By MR. McILWRAITH: How were the members of the "Zollgrenzschutz" "indirectly" subject to the orders of the SS and ~~SD~~ Police? ~~TMK~~

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That is what ~~he~~ Jon said.

THE WITNESS: From the time it was taken over, yes. Since 1944 when I was placed in charge they were under the jurisdiction of the Reichsfuehrer SS and his office.

MR. McILWRAITH: Then they were directly under the orders?

THE WITNESS: Yes.

DR. GAWLIK: I would like to ask a few questions for the SD that were ~~drawn~~ brought up by the cross-examination. L.S. McIlwraith. Is there any objection by the Prosecutors?

COLONEL GRIFFITH JONES: No.

MR. McILWRAITH: Very well.

BY DR. GAWLIK:

Q Does the SD have executive power?

A No.

Q Was it one of the tasks of the SD to carry through examinations?

A No.

COLONEL BROOKHART: Just a moment. I object to these questions unless the man is shown to be qualified. He disclaimed knowledge and information in this field.

DR. GAWLIK: The witness was for a number of years chief of an SD office in Silesia, in Liegnitz, in Breslau and in Hamburg as well.

MR. McILWRAITH: You must put that as a question

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to him and get his admission.

COLONEL GRIFFITH JONES: He has already admitted it.

BY DR. GAWLIK:

Q Have you by reason of your offices and duties sufficient knowledge to answer questions about the SD?

A Yes.

COLONEL BROOKHART: I submit, Your Honor, that that is a question for the Commission to decide. All that can be brought out as a matter of fact. The question should be put in that formXX.

DR. GAWLIK: The question whether the SD XX carried out examinations is a question of fact.

MR. McILWRAITH: For what purpose are you asking these questions? What do you want to bring out?

DR. GAWLIK: The SD has been accused of the fact that the persons arrested by the "Zollgrenzschutz" were transferred or handed over to the SD.

MR. McILWRAITH: But the witness has denied that. That question was put to the witness and he denied it.

DR. GAWLIK: I beg your pardon, I did not understand it that way.

M. MONNERAY: Sir, I am very sorry, I am not quite sure but according to my recollection it seems to me the witness said it was possible that the people arrested by his organization have been handed over to the SD; but I am not sure at all.

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MR. McILWRAITH: My recollection is that he either denied it or said that he didn't know. ~~So that~~ Bur you may put the same question to him again.

BY DR. GAWLIK:

Q Was it one of the duties of the SD to arrest people or take over people who had been arrested by ~~xx~~ other organizations?

A No.

Q Did the SD have prisons at all?

A No.

Q Whose duties were these?

A I might say I was in charge of the SD zones Liegnitz, Breslau and Hamburg for a number of years and never had any prisons at all.

Q Was it one of the duties of the SD to examine people who had been arrested?

A No. The SD was purely an information and intelligence organization. It had nothing to do with policemen.

Q Was in your experience any person ever arrested by the "Zollgrenzschutz" and handed over to the SD?

A If any such statement has been made it can only be a matter of mistake because if any persons were arrested by the "Zollgrenzschutz" these persons were either handed over to the police or to the Wehrmacht. But it might be a mistake, because the organization "Zollgrenzschutz" also had the SD insignia on its sleeve.

MR. McILWRAITH: I don't ~~xx~~ think these are proper

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questions of this witness.

DR. GAWLIK: No further questions.

M. MONNERAY: The witness said the SD had no function to receive people arrested by other organizations. I have not the document here now but I would like to put one or two questions to the witness on this subject.

MR. MC ILWRAITH: ~~All right,~~ But I have just said I don't think he is the proper person to answer such questions.

M. MONNERAY: I agree, sir, that he is not the proper person to ask them.

MR. McILWRAITH: We will now ~~recess~~ adjourn for ten minutes.

(The Commission adjourned at 1525 hours).

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The foregoing is a true and correct transcript of the testimony of OTTO SOMANN, taken on 27 May 1946.

H B Darrow
Reporter

CERTIFIED TO:

I. D. McGraith
Commissioner

Rasmor
Commissioner

H0916-0020

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946, Monday, 27 May, 1946

COMMISSIONERS:

Mr. I.D.McIlwraith
Mr. Igor Rasumov

THE GESTAPO

(The Commission resumed at 1400 hours).

OTTO SOHANN, a witness, took the stand and testified as follows:

BY MR. McILWRAITH:

Q Stand up, please, and raise your right hand, and repeat after me:

I swear by God, the Almighty, and Omniscient, that I will speak the pure truth and will withold and add nothing.

(The witness repeated the oath).

DIRECT EXAMINATION

BY DR. WEISGERBER:

Q What profession do you have?

A I was born to be a farmer and as such I worked on my father's estate.

Q Were you a member of the SS and when did you enter the SS?

A I have been a member of the SS since 1931.

Q Since when have you been a member of the NSDAP?

A I have been a member since 1927.

MR. McILWRAITH: Are you Dr. Weisgerber?

DR. WEISBERGER: Yes.

MR. McILWRAITH: Why are you examining a witness for the SS?

DR. WEISGERBER: I only asked concerning his membership in the party and in the SS in order to give a short presentation of this.

MR.McILWRAITH: For the Gestapo?

DR. WEISBERGER: Yes.

BY DR. WEISGERBER:

Q What was your career with the SS scene in big lines?

A I became a member in 1934 of the "Oberabschnitt Nord," the upper section or zone North, and Hamburg, as Wachtfuehrer. In 1936 I was transferred to the SD "Oberabschnitt Nord" in Stettin. In '38 and '39 for the SD zone in Liegnitz in Si

Silesia. I served in the same capacity in 1940 to 1943 in Breslau and Hamburg. In 1943 I became Inspector of the "Sipo" in Wiesbaden, and I served there especially as liason officer with the Armistice Delegation in Wiesbaden.

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A About the end of July or beginning of August in 1944. Himmler gave me permission to take charge of the "Zollgrenzschutz" as Inspector and I was freed of my former capacities.

Q Under whose jurisdiction, or who had been in charge of the "Zollgrenzschutz" until you were placed in charge of it?

A The "Zollgrenzschutz" is an old institution of the Reich Finance Administration under whose jurisdiction it was at that time.

Q Why was the "Zollgrenzschutz" transferred from the jurisdiction of the Reich Finance Administration into the jurisdiction of the Reich SS and police, and why was this "Zollgrenzschutz" annexed to Office 4 of the Reich main security office?

A The Reichsfuehrer SS had tried from the very beginning to take over the "Zollgrenzschutz" into his administration. Reich Finance Office strongly opposed these endeavors. When my predecessor, Geheimrat Hausfeld, was arrested in connection with the 20th of July 1944, the Reichsfuehrer SS had been given special powers and authority which enabled him to take over the "Zollgrenzschutz" into his department. As Inspector it was now my duty to carry through the transfer of the "Zollgrenzschutz". One half of the office was to remain under the jurisdiction of the Reich finance administration, while everyone who was on duty in the country was to be transferred to the security police, and therefore, those men who did duty on waters and lakes, rivers, and so on, were to be transferred into the "Ordnungspolizei," the Order Police.

MR. McIEWRAITH: Doctor Weisgerber, is this relevant?

DR. WEISGERBER: Yes, it is relevant because during the latter part, the second half of 1944, the "Zollgrenzschutz" was transferred or placed under the jurisdiction of



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the Gestapo, and we here have to clarify the set-up of the various departments and sub-departments of the Gestapo.

MR. McILWRAITH: Well, make it as short as you can.

DR. WEISGERBER: I shall try to.

BY DR. WEISGERBER:

Q. What was the strength of the "Zollgrenzschutz" in the summer of 1944?

A. About 54,000 men.

Q. So that about 25,000 or perhaps a few more were placed under the jurisdiction of the Gestapo?

COLONEL GRIFFITH JONES: 25,000?

DR. WEISGERBER: 25,000.

THE WITNESS: Yes, that is about right.

BY DR. EISGERBER:

Q. What was the work of the "Zollgrenzschutz" at your time?

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A. No, there was no change in the tasks that were to be carried out by the "Zollgrenzschutz."

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A. No, not as far as the organization was concerned.

Q. Did the "Zollgrenzschutz," have anything to do with either the SS or the SD until it was taken over into the Reichsfuehrer SS departments?

A. No.

Q. After the transfer were the members of the "Zollgrenzschutz" identified as members of the SS and the SD on their papers of identifiaction?

A. The same uniforms and papers of identification and credentials were

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retained after the transfer. A very few of the office chiefs also had stamps made and stamped these on the credentials of the members of their department, and on this stamp it said "The bearer is member of the SS and SD -- excuse me -- of the "Sipo." I personally neither received an order to do so nor passed on an order to do so. Some of the chiefs of offices must have done so of their own accord.

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Q. Was the whole organization transferred, or were the individual members asked?

A. No, the individual member was not asked.

Q. Therefore, the individual member could do nothing about the transfer?

A. No.

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Q. Why was the transfer not carried out?

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A. The first task was -- the first work was to get a complete report of the "Zollgrenzschutz" of the strength and the numbers, and several months passed before this was accomplished. When at the end of 1944 the German retreat movements began and when these retreat movements became faster and faster, a complete transfer was no longer possible.

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BY DR. MEISGERBER:

Q. Were the individual members of the "Zollgrenzschutz" admitted for membership in the SS by reason of official instructions?

A. No, but provision had to be made to take over part of the men who met with the requirements to take these men over into the SS,

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Q. My last question: Did the "Zollgrenzschutz" have anything to do with the tasks, aims and objectives of the Gestapo?

A. No. As I stated before, the "Zollgrenzschutz" was an old institution of the Reich finance administration, and its duties remained the same under my administration as they had been before, and there was no immediate change brought about by this transfer. However, the possibility does exist that during the final retreats of the German Army the "Zollgrenzschutz" were also used to help the transports and the bringing back of prisoners and so on. Members of the "Zollgrenzschutz" were never used for purely political duties.

DR. WEISGERBER: No further questions.

MR. McILWRAITH: Is there any cross-examination?

CROSS EXAMINATION

BY COLONEL GRIFFITH JONES:

Q. When the transfer was to take place in the summer of '44 how many members were in fact present, how many members of the "Zollgrenzschutz"?

A. The transfer was not carried out into the small detail, it was at first only the measure as a whole, and was then successful only fifty-fifty; not all successful and not all unsuccessful. There was only a change in the administration and in the jurisdiction. Payment was as before in the hands of the Reich finance administration.

Q. Were the members of the "Zollgrenzschutz" given any additional powers such as powers of arrest, as practiced by the Gestapo, when the change-over took place?

A. No.

COLONEL GRIFFITH JONES: I have no further questions.

MR. McILWRAITH: M. Monneray?

BY M. MONNERAY:

Q. Have the members of the "Zollgrenzschutz" been employed also in the occupied countries of the west?

A. Yes.

Q. If you take, for instance, the administration fields of the "Zollgrenzschutz", did you have other members of the "Zollgrenzschutz" employed?

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A No, I personally did not employ them there but when I took over the offices there were units there as far south as the Spanish Border. There were groups employed in all the occupied countries at the border of the Army, the Wehrmacht.

Q Did the groups of the "Zollgrenzschutz" in the occupied territories of the west, did they receive their orders from the Wehrmacht?

A Yes.

Q Did they also receive orders from the RSHA?

A As far as I know they did not.

Q Had the members of the "Zollgrenzschutz" in the Western countries the power to arrest people?

A Yes, at the border.

Q Did these members have at the same time the mission of the border police?

A Yes. At the order of the Wehrmacht.

Q So the members of the "Zollgrenzshutz" had at the same time the functions, the missions of this organization and of the border police. Isn't that so?

A Yes. They acted on orders of the Wehrmacht and had to carry these orders out.

Q At the different posts at the borders were there also members of the SD?

A That may be possible. I myself do not know, as I never had any work there or placed anyone there but in such a case both offices must have had work to do there, the SD as well as the "Zollgrenzschutz."

Q Did you know whether official were cooperating? for instance, could you give me any example of it?

A Yes. They cooperated and supported one another. For example. if it became known that one such particular zone was especially subject to illegal border crossings, then one office called the other office's attention to this fact, and both tried to help one another.

Q So then if I understand your explanations, when your organization arrested people whom they considered to be in an illegal position, they handed them over to the SD.

A I don't know. When I took over this office the retreat had already begun.

M. MORNEAY: I have no further questions.

BY COLONEL BROOKHART:

Q To what extent were the local offices or stations of your organization

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subject to the orders of, or subordinate to, local Higher SS and the police officials?

A Not directly, only indirectly.

Q Did you have any contact with them at all?

A I personally did not. My office was in Berlin and I had no contact with the local offices.

Q You have said you had contact between the local organization and your own. Am I to understand that that was separate and distinct from the local organization of the SD?

A No, I did not mean that I personally had contact with these local offices. I only had contact with the offices to which I myself assigned groups. For example, the "Amt." the order police, the water protective police and the Wehrmacht whose orders I had to carry out.

Q The fact is then you did not know what the local situation was?

A Do you mean of the "Zollgrenzschutz"?

Q Yes.

A Yes. Insofar as if anything special had taken place report would have been made to the higher offices.

Q Your information would be only what you obtained subsequently?

A Yes.

Q To what extent did your organization intercept prisoners of war attempting to escape?

A I don't know.

COLONEL BROOKHART: I have no more questions.

THE WITNESS: The "Zollgrenzschutz" probably helped to block the borders but I don't know to what extent arrests actually were made, and to what numbers.

MR. GILMARTH: Colonel Smirnov?

BY COLONEL SMIRNOV:

Q Was the frontier-guarding one of your duties? was it under your jurisdiction?

A Yes.

Q When people were arrested at the border was a telegram to that effect sent to the Inspector?

A No.

Q I shall read a telegram that was sent on the

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occasion of the arrest of Yugo-Slav diplomats trying to get across the border and were arrested. The telegram bears the number 6143 and is dated the 6th of April 1941.

A I am sorry I cannot answer because I did not take over the "Zollgrenzschutz" until 1944.

Q This telegram mentions the arrest of Yugo-Slav diplomats. Doesn't this fact signify that the inspectors also helped policemen?

A I notice that the telegram bears the date 1941.

Q Did these inspectors receive any instructions from Schellenberg and Mueller before 1941?

A I don't believe so. I do not know.

COLONEL SMIRNOV: No more questions.

MR. McILWRAITH: Dr. Weisgerber?

REDIRECT EXAMINATION

BY DR. WEISGERBER:

Q In 1939 you were chief of office of the SD in Liegnitz.

A Yes.

Q What was known of the planned attack on Station Gleiwitz in your office?

A I heard for the very first time of the attack on Station Gleiwitz in my camp in Schleswig-Holstein this year. I neither knew nor heard anything of it prior to this time.

BY MR. McILWRAITH: How were the members of the "Zollgrenzschutz""indirectly" subject to the orders of the SS and Police? That is what you said.

THE WITNESS: From the time it was taken over, yes. Since 1944 when I was placed in charge they were under the jurisdidtion of the Reichsfuehrer SS and his office.

MR. McILWRAITH: Then they were directly under the orders?

THE WITNESS: Yes.

DR. GAWLIK: I would like to ask a few questions for the SD that were brought up by the cross-examination.

MR. McILWRAITH: Is there any objection by the Prosecutors?

COLONEL GRIFFITH JONES: No.

MR. McILWRAITH: Very well.

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BY DR. GAWLIK:

Q Does the SD have executive power?

A No.

Q Was it one of the tasks of the SD to carry through examinations?

A No.

COLONEL BROOKHART: Just a moment. I object to these questions unless the man is shown to be qualified. He disclaimed knowledge and information in this field.

DR. GAWLIK: The witness was for a number of years chief of an SD office in Silesia, in Liegnitz, in Breslau and in Hamburg as well.

MR. McILWRAITH: You must put that as a question to him and get his admission.

COLONEL GRIFFITH JONES: He has already admitted it.

BY DR. GAWLIK:

Q Have you by reason of your offices and duties sufficient knowledge to answer questions about the SD?

A Yes.

COLONEL BROOKHART: I submit, that that is a question for the Commission to decide. All that can be brought out as a matter of fact. The question should be put in that form.

DR. GAWLIK: The question whether the SD carried out examinations is a question of fact.

MR. McILWRAITH: For what purpose are you asking these questions? What do you want to bring out?

DR. GAWLIK: The SD has been accused of the fact that the persons arrested by the "Zollgrenzschutz" were transferred or handed over to the SD.

MR. McILWRAITH: But the witness has denied that. That question was put to the witness and he denied it.

DR. GAWLIK: I beg your pardonm I did not understand it that way.

M. MONTERAY: Sir, I am very sorry, I am not quite sure but according to my recollection it seems to me the witness said it was possible that the people arrested by his organization have been handed over to the SD; but I am not sure at all.

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MR. McILWRAITH: My recollection is that he either denied it or said that he didn't know. But you may put the same question to him again.

BY DR. GAWLIK:

Q Was it one of the duties of the SD to arrest people or take over people who had been arrested by other organizations?

A No.

Q Did the SD have prisons at all?

A No.

Q Whose duties were these?

A I might say I was in charge of the SD zones Liegnitz, Breslau and Hamburg for a number of years and never had any prisons at all.

Q Was it one of the duties of the SD to examine people who had been arrested?

A No. The SD was purely an information and intelligence organization. It had nothing to do with policemen.

Q Was in your experience any person ever arrested by the "Zollgrenzschutz" and handed over to the SD?

A If any such statement has been made it can only be a matter of mistake because if any persons were arrested by the "Zollgrenzschutz" these persons were either handed over to the police or to the Wehrmacht. But it might be a mistake, because the organization "Zollgrenzschutz" also had the SD insignia on its sleeve.

MR. MCILWRAITH: I don't think these are proper questions of this witness.

DR. GAWLIK: No further questions.

M. MONNERAY: The witness said the SD had no function to receive people arrested by other organizations. I have not the document here now but I would like to put one or two questions to the witness on this subject.

MR. MC ILWRAITH: But, I have just said I don't think he is the proper person to answer such questions.

M. MONNERAY: I agree, sir, that he is not the proper person to ask them.

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MR. MC ILWRAITH: We will now adjourn for ten minutes.

(The Commission adjourned at 1525 hours).

The foregoing is a true and correct tranzcript of the testimony of OTTO SOMANN, Taken on 27 May 1946.

H. B. DARROW
Reporter

CERTIFIED TO:

I. D. MC ILWRAITH
Commissioner

J RASAMOV
Commissioner